

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 10,842

IN THE MATTER OF:

Served October 19, 2007

FON PIUS NOE, Trading as PIUSMED)
WORLD TRANSPORT, Suspension and)
Investigation of Revocation of)
Certificate No. 1327)

Case No. MP-2007-187

This matter is before the Commission on respondent's response to Order No. 10,762, served September 17, 2007.

Under the Compact, a WMATC carrier may not engage in transportation subject to the Compact if the carrier's certificate of authority is not "in force."¹ A certificate of authority is not valid unless the holder is in compliance with the Commission's insurance requirements.²

Commission Regulation No. 58 requires respondent to insure the revenue vehicles operated under Certificate No. 1327 for a minimum of \$1.5 million in combined-single-limit liability coverage and maintain on file with the Commission at all times proof of coverage in the form of a WMATC Certificate of Insurance and Policy Endorsement (WMATC Insurance Endorsement) for each policy comprising the minimum.

Certificate No. 1327 was rendered invalid on September 17, 2007, when the \$1.5 million primary WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 10,762 noted the automatic suspension of Certificate No. 1327 pursuant to Regulation No. 58-02, directed respondent to cease transporting passengers for hire under Certificate No. 1327, and gave respondent thirty days to replace the cancelled endorsement and pay the \$50 late fee due under Regulation No. 67-03 (c) or face revocation of Certificate No. 1327.

Respondent paid the \$50 late fee on October 5 and submitted a million
\$1.5 primary WMATC Insurance Endorsement on September 26, The effective
200 date of the new endorsement is September 25, This means that respondent
7. was without insurance coverage for days, from September 17, 2007,
200 through September 24, 2007.

7.

eig Under Commission Rule No. 28, respondent is required to verify that
it ceased transporting passengers for hire under Certificate No. 1327 as
directed by Order No. 10,762. We will give respondent thirty days to verify
that it ceased operations as of September 17, 2007. Inasmuch as respondent's
clients include the District of Columbia Department of Health, Medical
Assistance Administration (DC

¹ Compact, tit. II, art. XI, § 6(a). ²

Compact, tit. II, art. XI, § 7(g).

Medicaid), and United Cerebral Palsy of Washington, D.C. and Northern Virginia, Inc. (UCP), respondent shall corroborate his verification with copies of his general business records and confirmation from DC Medicaid and UCP.³

THEREFORE, IT IS ORDERED:

1. That within thirty days from the date of this order, respondent shall verify it ceased all operations in the Metropolitan District as of September 17, 2007.

2. That within thirty days from the date of this order, respondent shall submit confirmation from DC Medicaid and UCP that respondent ceased operations as of September 17, 2007.

3. That within thirty days from the date of this order, respondent shall produce any and all books, papers, correspondence, memoranda, contracts, agreements, and other records and documents, including any and all stored electronically, that are within respondent's possession, custody or control and which relate to the transportation of passengers for hire between points in the Metropolitan District during the period beginning July 1, 2007, and ending on the date of this order, including, but not limited to any and all:

- a. customer contracts and invoices;
- b. invoices from other carriers;
- c. calendars and itineraries;
- d. bank and payroll records;
- e. insurance documents;
- f. advertising materials;
- g. income tax and personal property returns.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:



William S. Morrow, Jr.
Executive Director

³ See *In re Ibrahim Fahadi*, No. MP-07-117, Order No. 10,643 (July 20, 2007) (requiring confirmation from DC Medicaid and Easter Seal Society, and business records) .